

ChemLink Petroleum

3101 W. 21st Street
P.O. Box 370
Sand Springs, OK 74063

138933



May 8, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Acumenics Research & Technology, Inc.,
1400 I Street, N.W.,
Suite 200,
Washington, D.C. - 20005.

Attn.: 104(e) Task

Re: Request for Information Pursuant to Section 104 of CERCLA
and Section 3007 of RCRA for the Artel Chemical Site,
Nitro, West Virginia

Your File: 3HW14

Dear Sirs:

In response to your Agency's information request to "ChemLink Petroleum," which was received by the Sand Springs, Oklahoma facility of ChemLink Petroleum, an unincorporated division of Pony Industries, Inc. ("Pony") on April 24, 1989, please be advised that:

- A - Prior to December 19, 1986, "ChemLink Petroleum Inc." and "ChemLink Inc." were the names of subsidiaries of Atlantic Richfield Company ("ARCO"), which owned and operated the assets and properties currently owned and operated by Pony through its ChemLink Petroleum and ChemLink Divisions.
- B - On December 19, 1986, Pony acquired those assets and properties, including the names "ChemLink Petroleum" and "ChemLink," from ARCO and its subsidiaries pursuant to an Asset Purchase Agreement in which ARCO agreed to defend and indemnify Pony against all environmental liability occasioned by pre-12/19/86 activities of ARCO and its subsidiaries in connection with the assets and properties acquired by Pony.
- C - The responses herein made by the ChemLink Petroleum Division of Pony are based solely on records in the possession of the ChemLink and ChemLink Petroleum Divisions relating to pre-12/19/86 events or transactions and are not, therefore, to be construed as responses which would have been made by ARCO and its subsidiaries had the information request been directed to them.

AR200344

May 8, 1989

D - Pony, which was organized in 1986 for the purpose of acquiring several operations, including those of the ChemLink and ChemLink Petroleum Divisions, from ARCO, has found no evidence of any "PRP" connection of Pony, its ChemLink Petroleum Division or its ChemLink Division to the above-referenced Site. Absent any such evidence, Pony hereby requests that neither Pony nor its ChemLink Petroleum Division nor its ChemLink Division be reflected on any PRP list which your Agency might develop.

E - If there is evidence supporting PRP status for "ChemLink Petroleum" or for "ChemLink" based on pre-12/19/86 events or transactions, please identify the PRP as "ChemLink Petroleum, Inc.", or "ChemLink, Inc.," as the case may be, each addressed c/o Atlantic Richfield Company, 515 South Flower Street, Los Angeles, California - 90071. If Pony or its ChemLink Petroleum Division or its ChemLink Division is identified as a PRP on the basis of any such events or occurrences, demand is made, by copy of this letter, that ARCO defend and indemnify Pony pursuant to the Asset Purchase Agreement referred to in Paragraph B above.

Subject to the foregoing, the specific responses of Pony's ChemLink Petroleum Division to your Agency's information request are as follows:

1 - None

2 - Upon information and belief, the entire basis of which consists of the documents of which copies are attached hereto as Exhibit A (comprising 89 pages including a 2-page "List of Attachments"), ChemLink, Inc., a subsidiary of ARCO, which on or about December 19, 1986, changed its corporate name, participated in a tolling arrangement with Fike Chemicals Company, Nitro, West Virginia, for the manufacture of Diallyl Dimethyl Ammonium Chloride ("DADMAC") in the period 1982-84.

Except for the ARCO indemnification referred to in Paragraph B above, neither Pony nor its ChemLink Petroleum Division nor its ChemLink Division is or has been privately insured against releases of hazardous wastes or substances as a result of the handling of such materials. Pony and its said Division do not have knowledge or information concerning any such insurance which may have been or be carried by ARCO and its subsidiaries.

Yours very truly,

CHEMLINK PETROLEUM,
a Division of Pony Industries, Inc.

By: *[Signature]*

AR200345

cc-U.S. EPA, Region III

Attn.: James Heenehan, Esq., Office of Regional Counsel

Lawrence H. Richardson

Bruce P. Smith, Chief, Hazardous Waste Enforcement Branch

cc-U.S. Department of Justice, Attn.: N. Flickinger, Esq.

cc-Atlantic Richfield Company, Attn.: C. Floyd George (W/Att.)

AR200346